

EXTENSION OF TIME

V. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VI. The total fee due is:

Completion fees \$65.00
Extension fee None

Total Fee Due \$65.00

PAYMENT OF FEES

VII. Enclosed is a check in the amount of \$65.00.

A duplicate of this request is attached.

Please charge Account No. 15-0450 for any fees that may be due by this paper.

12/3/98
Date

Reg. No.: 33813
Tel. No.: (330) 864-5550

Customer No.: 021324


SIGNATURE OF PRACTITIONER

Mark A. Watkins
Oldham & Oldham Co., L.P.A.
1225 W. Market St.
Akron, OH 44313
USA

(Completion of Filing Requirements—Nonprovisional Application—page 2 of 2)



Practitioner's Docket No. 6014-1-CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leighton, Keith R.

Serial No.: 09/158,290 Group No.: 1752

Filed: 09/22/1998 Examiner: NOT ASSIGNED

For: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR
THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

Combined Declaration and Power of Attorney
Copy of Notice to File Missing Parts of Application
Transmittal
Check in the Amount of \$65.00

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 12/3/98.

Mark A. Watkins


Signature of person mailing paper

(Certificate of Mailing under 37 CFR § 1.8(a))



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

09/153,290

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/153,290	05/22/98	LEIGHTON	K 6014-1-CON

10210324
OLDHAM & OLDHAM CO
TWIN OAKS ESTATE
2212 W MARKET STREET
KIRKWOOD, OH 44213

IM22/0611

EXAMINER

AHMAD, N

ART UNIT	PAPER NUMBER
1772	48

DATE MAILED: 06/11/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/158,290	

Examiner
Nasser Ahmad

Leighton
Group Art Unit 1772



- Responsive to communication(s) filed on _____
 This action is FINAL.

- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire one month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1-22

Of the above, claim(s) _____ is/are pending in the application.

- Claim(s) _____ is/are withdrawn from consideration.
 Claim(s) _____ is/are allowed.
 Claim(s) _____ is/are rejected.
 Claims 1-22 _____ is/are objected to.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
 The drawing(s) filed on _____ is/are objected to by the Examiner.
 The proposed drawing correction, filed on _____ is approved disapproved.
 The specification is objected to by the Examiner.
 The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 All Some* None of the CERTIFIED copies of the priority documents have been received.
 received in Application No. (Series Code/Serial Number) _____
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received:

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of References Cited, PTO-892
 Information Disclosure Statement(s), PTO-1449, Paper No(s).
 Interview Summary, PTO-413
 Notice of Draftsperson's Patent Drawing Review, PTO-948
 Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 09/158,290

Page 2

Art Unit: 1772

1.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-19, drawn to a hot lamination process, classified in class 156, subclass 247.
- II. Claims 20-22, drawn to a plastic card, classified in class 428, subclass 68.

2.

The inventions are distinct, each from the other because:

3.

Inventions group I and group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by a materially different process such as forming the core by molding plastic around the electronic element in a mold or providing a coating on a core surface that is distinct from printing or molding the core and forming the laminated card without requiring the cutting step.

4.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Application/Control Number: 09/158,290

Page 3

Art Unit: 1772

5.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6.

A telephone call was made to Mr. Mark A. Watkins on May 28, 1999 to request an oral election to the above restriction requirement, but did not result in an election being made.

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is (703) 308-4424. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ellis Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-0599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

N. Ahmad;jp

June 9, 1999

Nasser Ahmad
NASSER AHMAD
PRIMARY EXAMINER
GROUP 1300-1700



#5
GAU 1752
6498

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leighton, Keith R.

Examiner:

Serial No: 09/158,290

Art Unit: 1752

Filed: September 22, 1998

Date: February 22, 1999

For: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCES FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED
MAR 03 1999
GROUP 1700

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR § 1.97

This Information Disclosure Statement is believed to be filed prior to the first Patent Office action on the merits filed and is therefore thought to be timely. 37 CFR §1.97(b).

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR §1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

A list of the patents and other cited references cited by the applicant are enclosed on Form PTO-1449 (2 pages) which is attached and made a part hereof. Copies of the references are enclosed herein. The relevance of each cited reference is thought to have been sufficiently discussed in the application and, therefore, has not been recited herein, with the following exception. This Information Disclosure Statement is based on

information contained in the undersigned attorney file as of the date of this statement and is inclusive of the best information known to the undersigned at that date.

The Examiner is kindly requested to consider the Information Disclosure Statement in addition to any references identified by the Examiner as a result of his independent search and examination.

Respectfully submitted,

OLDHAM & OLDHAM CO., LPA



Mark A. Watkins, Esq.
Registration 33,813

MAW/jdd/srm

Twin Oaks Estate
1225 West Market Street
Akron, OH 44313-7188
(330) 864-5550

Attorney Docket:6014-1-CON

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.
6014-1-CON

In Re Application Of: LEIGHTON, KEITH R.

O P E S C
FEB 26 1999

Serial No.
09/158,290

Filing Date
SEPTEMBER 22, 1998

Examiner

Group Art Unit
1752

Title:

RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE
MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

RECEIVED
MAR 03 1999
GROUP 1700

37 CFR 1.97(b)

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:
 1. a Final Action under 37 CFR 1.113, or
 2. a Notice of Allowance under 37 CFR 1.311,
 whichever occurs first.

Also submitted herewith is:

- a certification as specified in 37 CFR 1.97(e);

OR

- the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

Practitioner's Docket No. 6014-1-CON



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LEIGHTON, KEITH R.

Group No.: 1752

Application No.: 09/158,290

Examiner:

Filed: 09/22/1998

For: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE
MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL122137900US

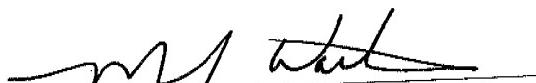
Date of Deposit 02/26/1999

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MAR 03 1999
GROUP 1700

I hereby state that the following *attached* paper or fee
Information Disclosure Statement, PTO-A820 (substitute Pto-1449) and References

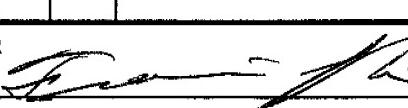
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

MARK A. WATKINS



Signature of person mailing paper or fee

(Express Mail Certificate)

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO 6014-1	N	SERIAL NO. 09/158,290
				LEIGHTON, KEITH		
				FILING September 22, 1998	GROUP <i>1732/1733</i>	
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
<i>FSL</i>	AA	4,450,024	5/22/84	HAGHIRI-TEHRANI ET AL.	<i>156</i>	<i>108</i>
<i>FSL</i>	AB	5,067,008	11/19/91	YANAKA ET AL.	<i>257</i>	<i>703</i>
<i>FSL</i>	AC	5,396,650	3/7/95	TERAUCHI	<i>455</i>	<i>38,2</i>
<i>FSL</i>	AD	5,208,450	5/4/93	UENISHI ET AL.	<i>235</i>	<i>492</i>
<i>FSL</i>	AE	4,980,802	12/25/90	CHAMPAGNE ET AL.	<i>361</i>	<i>764 ED</i>
<i>FSL</i>	AF	5,097,117	3/17/92	CHAMPAGNE ET AL.	<i>235</i>	<i>RF 488 03 1999</i>
<i>FSL</i>	AG	5,438,750	8/8/95	VENAMBRE	<i>29</i>	<i>1829 1700</i>
<i>FSL</i>	AH	5,567,362	10/22/96	GRUN	<i>264 G</i>	<i>1,31</i>
<i>FSL</i>	AI	4,795,898	1/3/89	BERSTEIN ET AL. <i>Bernstein et al.</i>	<i>235</i>	<i>487</i>
<i>FSL</i>	AJ	4,701,236	10/20/87	VIEILLEDENT	<i>156</i>	<i>252</i>
<i>FSL</i>	AK	4,792,843	12/20/88	HAGHIRI-TEHRANI ET AL.	<i>257</i>	<i>679</i>
FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>						
EXAMINER 				DATE CONSIDERED <i>13 Aug 99</i>		
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>						

			ATTY DOCKET NO. 6014-1	N	SERIAL NO. 09/158,290		
INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>			REIGHTON, KEITH				
			FILING September 22, 1998	GROUP 1752-1733			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS		
FJL AL	5,173,840	12/22/92	KODAI ET AL.	361	737		
FJL AM	5,272,596	12/21/93	HONORE ET AL.	361	633		
FJL AN	5,412,192	5/2/95	HOSS	235	380		
FJL AO	5,268,699	12/7/93	LAUTE ET AL.	343	702		
FJL AP	5,067,008	11/19/91	YANAKA ET AL.	257	R 703 VED Dup		
FJL AQ	5,809,633	9/22/98	MUNDIGLI ET AL.	29	600 3 1999		
FJL AR	4,841,134	6/20/89	HIDA ET AL.	235	31 488 2 1700		
FJL AS	3,994,225	11/30/76	SITZBERGER	101	485		
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
EXAMINER	<i>Transey J</i>		DATE CONSIDERED 13 Aug 99				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



Please type a plus sign (+) inside this box →

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

+ 6P1776

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

Application Number	09/158,290
Filing Date	September 22, 1998
First Named Inventor	Keith R. Leighton
Group Art Unit	1772
Examiner Name	Ahmad, N.

Attorney Docket Number 6014-1-CON

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> RETURN CARD
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RECEIVED

JUL 7 1999

GROUP 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Mark A. Watkins
Signature	
Date	June 30, 1999

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 06/30/1999

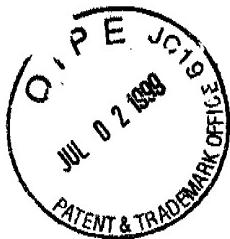
Typed or printed name: Mark A. Watkins

Signature:

Date:

June 30, 1999

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#6
CQueen
7/7/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Leighton** Examiner: **Ahmad, N.** ✓

Serial Number: **09/158,290** ✓ Art Unit: **1772** ✓

Filing Date: **September 22, 1998** ✓ Date: **June 30, 1999**

For: ***Process for the Manufacture of Radio Frequency Identification Cards***

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE

Dear Sir:

In response to the restriction requirement in the Office Action dated June 11, 1999,

REMARKS

The Examiner has made a restriction requirement as to either of claims 1-19 or claims 20-22. Applicant hereby elect claims 1-19 drawn to a hot lamination process.

Respectfully submitted,
OLDHAM & OLDHAM CO., L.P.A.

By: Mark A. Watkins
Mark A. Watkins
Reg. No.33,813

Twin Oaks Estate
1225 West Market Street
Akron, Ohio 44313-7188
(330) 864-5550

Attorney Docket No. 5894-12

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JUL 7 1999
GROUP 1700



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/158,290	09/22/98	LEIGHTON	K 6014-1-CON
		IM22/0927	EXAMINER
021324 OLDHAM & OLDHAM CO TWIN OAKS ESTATE 1225 W MARKET STREET AKRON OH 44313		LORIN, F	
		ART UNIT	PAPER NUMBER
		1733	7
		DATE MAILED: 09/27/99	

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/158,290	Applicant(s) Leighton
Examiner Francis J. Lorin	Group Art Unit 1733



Responsive to communication(s) filed on Jul 2, 1999

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1-22 is/are pending in the application.
 Of the above, claim(s) 20-22 is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) 1-19 is/are rejected.
- Claim(s) _____ is/are objected to.
- Claims _____ are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All Some* None of the CERTIFIED copies of the priority documents have been
 received.
 received in Application No. (Series Code/Serial Number) _____.
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____
- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 5
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 09/158,290

Page 2

Art Unit: 1733

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leighton (U.S. Patent No. 5,817,207).

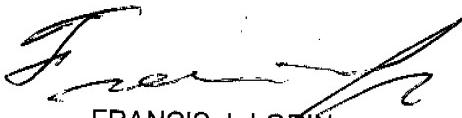
See the abstract.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Francis J. Lorin whose telephone number is (703) 308-2061.

Any inquiry of a general nature can be directed to the Group receptionist at (703) 308-0651.

The FAX number for any official papers (i.e., papers that will be entered as part of the file wrapper) for Group Art Unit 1733 is (703) 305-3601.

Any unofficial papers (e.g., proposed amendments) can be submitted by FAX using 305-7115.



FRANCIS J. LORIN
PRIMARY EXAMINER
ART UNIT 1733



A/BM
33-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keith Leighton Examiner: Lorin, F.

Serial No. 09/158,290 Art Unit: 1733

Filed: September 22, 1998 Date: March 24, 2000

Title: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT

Dear Sir:

In response to the Office Action dated September 27, 1999, please amend the above-identified application as follows:

In the Specification:

At page 1, line 1, please add the following: This application is a continuation of serial no. 08/727,789, now U.S. Patent No. 5,817,207.

In the claims:

Please delete the following claims: 6, 9, 10, 13, 14 and 19.

Please amend the following claims:

A2
1.(Amended) A [hot lamination] process for incorporating at least one electronic element in the manufacture of a plastic card, [said process] comprising the steps of:

03/29/2000 NSHIFERA 0000009 09158290

01 FC:217

435.00 OP

- (a) providing first and second plastic core sheets;
- (b) positioning said at least one electronic element in the absence of a non-electronic carrier directly between said first and second plastic core sheets to form a [layered] core, said plastic core sheets defining a pair of inner and outer surfaces of said core;
- (c) positioning said core in a laminator apparatus, and subjecting said core to a heat and pressure cycle, said heat and pressure cycle comprising the steps of:
- (i) heating said core [in said laminator,] for a first period of time;
 - (ii) [thereafter] applying [ram] a first pressure to said core for a second period of time such that said at least one electronic element is encapsulated [in] by said core[,];
 - (iii) [and thereafter] cooling said core [in conjunction with laminator ram] while applying a second pressure [being applied] to said core [, said core including an upper and lower surfaces].
- (d) [printing on at least one of said upper and lower surfaces of said core such that a layer of ink is applied to said at least one upper and lower surface of said core;
- (e) positioning said core in a laminator apparatus with a layer of overlaminant film on at least one of said upper and lower surfaces of said core and laminating said] applying a layer of overlaminant film to at least one of said outer surfaces of said core [in said laminator to thereby form a sheet of plastic card stock; and,
- (f) cutting at least one card from said sheet of plastic card stock].

2. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said [step (c) of positioning said core in a] laminator apparatus [is carried out by positioning said core between] has first and second laminating plates, at least one of said first and second laminating plates having a matte finish [to provide at least one of said upper and lower core surfaces with a corresponding] for creating a textured surface on at least one of said outer surfaces of said core.

3. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 2, wherein each of said first and second

laminating plates [includes] has a matte finish [to provide both of said upper and lower surfaces of said core with a correspondingly] for creating said textured surface on both of said outer surfaces of said core.

J
4. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said first and second plastic core

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sheets are made from a material selected from the group consisting of polyvinyl chloride, polyester, and acrylonitrile-butadiene-styrene, [wherein] each of said sheets [has] having a thickness in the range of 0.007 [inches] to 0.024 [inches] inch.

5. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 4, wherein said first and second plastic core sheets have a thickness of approximately 0.0125 inch [inches].

6 *1*. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim [6] 1, wherein [said step (c5) is carried out with a ram] said second pressure [that] is greater than [the ram] said first pressure [utilized in step (c4)].
3

A *7* *8*. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim *7*, wherein [the laminator] said second pressure [utilized in step (c5)] is at least approximately 25% greater than [the ram] said first pressure [utilized in step (c4)].

8 *1*. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim [6] 1, wherein said [step (c3) is carried out by heating said] core is heated in step (c)(i) to a temperature in the range of [300] 275⁰F to [370] 400⁰F and said first period of time is [for] at least five (5) [5 to 10] minutes.
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12. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim [11] 1, wherein said [step (c4) is carried out by increasing said laminator ram] first pressure [to a pressure] is approximately [in the range of 700 p.s.i. to] 1000 p.s.i. and said second period of time is [for] at least 10 minutes.

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15. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said step [(e) is carried out by positioning said core between first and second sheets of overlaminant film such that a layer of overlaminant film is laminated to both said upper and lower surfaces of said core] (d) of applying a layer of overlaminant film comprises the further steps of:

- (a) positioning an overlaminant film on at least one surface of said core;
- (b) subjecting said core to a second heat and pressure cycle comprising the steps of:
 - (i) heating said core to a temperature between approximately 175⁰F to 300⁰F for approximately 10 to 25 minutes;
 - (ii) applying approximately 1000 p.s.i. pressure to said core; and
 - (iii) cooling said core to a temperature in the range of approximately 40⁰F to 65⁰F for approximately 10 to 25 minutes.

11

16. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said at least one electronic element is a micro-chip and an associated wire antenna.

12

17. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said at least one electronic element is a micro-chip and an associated circuit board antenna.

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18. (Amended) [A hot lamination] The process for incorporating at least one electronic element in the manufacture of a plastic card as recited in claim 1, wherein said at least one electronic

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element is a read/write integrated chip and an associated antenna.

[] Kindly add the following new claims:

1523. A hot lamination process for the manufacture of plastic cards, said process comprising the steps of:

- (a) providing first and second plastic core sheets;
- (b) positioning at least one electronic element in the absence of a non-electronic carrier directly between said first and second plastic core sheets to form a layered core;
- (c) positioning said core in a laminator apparatus, and subjecting said core to a heat and pressure cycle, said heat and pressure cycle comprising the steps of:
 - (i) heating said core in said laminator, in the presence of a minimal first ram pressure, to a temperature which causes controlled flow of said plastic which makes up said first and second plastic core sheets;
 - (ii) applying a second pressure uniformly across said core for encapsulating said at least one electronic element within said controlled flow plastic;
 - (iii) subsequently cooling said core in conjunction with the concurrent application of a third pressure uniformly across said core, said core including and upper and lower surfaces.

1624. The method as recited in claim *23* wherein said first and second core layers are devoid of any appreciable cutouts.
16

REMARKS

Rejections under 35 U.S.C. 103(a)

The Examiner has rejected each of the pending claims, 1-19, under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,817,207 (the '207 patent) to Leighton. This rejection is respectfully traversed.

Applicant initially notes that the present invention is a continuation of the '207 patent. Applicant further notes that 1) the applicant is the same inventive entity in both the present application and in the '207 patent, and that 2) the present application was filed September 22, 1998, prior to the October 6, 1998 issue date of the '207 patent. Applicant submits that as the present application was copending with the application 08/727,789 for the '207 patent, the '207 patent cannot be prior art against the present application. Applicant therefore respectfully requests that the Examiner withdraw the 103(a) rejection of claims 1-19 over the '207 patent.

Amendments to the Claims

Applicants have amended the claims to more fully define what the application regards as his invention. As stated previously herein, the '207 patent cannot be prior art against the present application, the Examiner's 103(a) rejection is improper, so the amendments to the claims are not offered to overcome the 103(a) rejections.

Applicant have amended the claims to delete reference to a printing or coating step in the process, as indicated in amended claim 1. Applicant notes that the application of ink or otherwise coating a surface is not an essential element of the invention, and as such clarifies the non-essential nature of printing by deleting reference to it in all claims. The specification teaches broadly, at page 3, lines 16-21, that " The present invention provides numerous advantages over known plastic cards and known plastic card manufacturing processes, including the formation of a plastic card with electronic elements such as a computer chip embedded therein with a pleasing aesthetic appearance, with a sufficiently smooth and regular surface such that the card may receive dye sublimation printing, and with sufficient durability and

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characteristics to comply with all industry specifications and standards." It is clearly within the scope of the invention, then, to provide a process not including a printing step, as the invention is clearly workable without such step, indicated by the language that a card produced by the process *may* but need not necessarily be printed.

It is believed that this application as amended is in condition for allowance. Such action is respectfully requested.

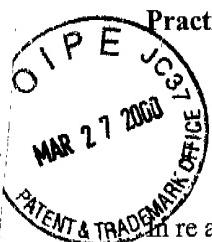
Respectfully submitted,
OLDHAM & OLDHAM CO., LPA



Mark A. Watkins, Esq.
Registration No. 33, 813

Twin Oaks Estate
1225 West Market Street
Akron, Ohio 44313-7188
(330)864-5550

Attorney Docket No. 6014-1-CON



Practitioner's Docket No. 6014-1-CON

Gay 17 83
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leighton, Keith
Application No.: 09/158,290
Filed: 09/22/1998

Group No.: 1733
Examiner: Lorin, F.

For: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

RECEIVED
U.S. PATENT AND
TRADEMARK OFFICE
MAR 27 2000

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.
Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.


Signature

Date: 24 March 2000

Mark A. Watkins)

(Amendment Transmittal--page 1 of 2)

Fee: \$435.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)	(Col. 3) SMALL ENTITY
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra
Total	18	Minus
	22	= 0
Indep.	3	Minus
	3	= 0
First Presentation of Multiple Dependent Claim		+ \$130 = \$0
		Total \$0
		Addit. Fee \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

FEE PAYMENT

5. Attached is a check in the sum of \$435.00.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 15-0450.

Mark A. Watkins
Oldham & Oldham Co., L.P.A.
Twin Oaks Estate
1225 West Market Street
Akron, OH 44313-7188
USA

(Amendment Transmittal--page 2 of 2)



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/158,290	09/22/98	LEIGHTON	K 6014-1-CON
<input type="checkbox"/> 021324 OLDHAM & OLDHAM CO TWIN OAKS ESTATE 1225 W MARKET STREET AKRON OH 44313		IM62/0605	<input type="checkbox"/> EXAMINER LORIN, F
			<input type="checkbox"/> ART UNIT <input type="checkbox"/> PAPER NUMBER 1775 9
DATE MAILED: 06/05/00			

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Allowability

Application No.

09/158,290

Applicant(s)

LEIGHTON, KEITH R.

Examiner

Francis J Lorin

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1. This communication is responsive to amendment filed.
 2. The allowed claim(s) is/are 1-20, 23 and 24.
 3. The drawings filed on 7/12/03 are acceptable.
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) All
 - b) Some*
 - c) None
 of the CERTIFIED copies of the priority documents have been
 1. received.
 2. received in Application No. (Series Code / Serial Number). _____.
 3. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) because the originally filed drawings were declared by applicant to be informal.
 - (b) including changes required by the Notice of Draftsperson's Patent Drawing Review(PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (c) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (d) including changes required by the attached Examiner's Amendment / Comment.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- 1 Notice of References Cited (PTO-892)
- 3 Notice of Draftperson's Patent Drawing Review (PTO-948)
- 5 Information Disclosure Statements (PTO-1449), Paper No. _____.
- 7 Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 2 Notice of Informal Patent Application (PTO-152)
- 4 Interview Summary (PTO-413), Paper No. _____.
- 6 Examiner's Amendment/Comment
- 8 Examiner's Statement of Reasons for Allowance
- 9 Other

Application/Control Number: 09/158,290

Page 2

Art Unit: 1775

#9/Amtt
B
CJL
6/7/00

1. The following is an examiner's statement of reasons for allowance: None of the prior art of record teach the method as claimed particularly the application of the separate heating and two or three pressure steps as applied to the encapsulation of electronic devices. The closest prior art is applicant's prior patent 5,817,207. The pending claims patentably distinguish over this reference in the absence of an ink-applying step.

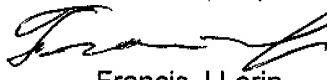
2. Claims 21-22 directed to a non-elected invention have been canceled.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Francis J Lorin whose telephone number is (703) 308-2061. The examiner can normally be reached on M-F 8:30-6 except alternating (2nd) Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (703) 308-3822. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-5436 for regular communications and (703) 305-7115 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0601.


Francis J Lorin
Primary Examiner
Art Unit 1775

June 5, 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

021324
OLDHAM & OLDHAM CO
TWIN OAKS ESTATE
1225 W MARKET STREET
AKRON OH 44313

TM62 / 0605

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/100,200	09/22/98	016	LORTN, F	1775 06/05/00
First Named Applicant	LEIGHTON,	35 USC 154 (b) Term ext. =	0 Days	

TITLE OF INVENTION RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
1 6014-1-COM	156-298,000	PtO	UTILITY	YES	\$605.00	09/05/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
 - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
 - B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

- III. All communications regarding this application must give application number and batch number.
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

SEP-05-00 TUE 04:40 PM OLDHAM & OLDHAM CO. LPA FAX NO. 330 864 7986

P. 02

#101 Amott
C(N.E.)
CQueen
OF PCT/US
2000 SEP 5 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leighton, Keith
Serial No.: 09/158,290
Filed: September 22, 1998

Examiner: Lorin, F.
Art Unit: 1733
Date: September 5, 2000 SEP 5 2000

FAX RECEIVED

GROUP 1700

Title: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION PROCESS FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. 1.312

Dear Sir:

This amendment is made pursuant to 37 C.F.R. 1.312, and is only to correct errors in the recitation of allowed claims appearing in the Notice of Allowability and the Notice of Allowance both dated June 5, 2000.

In the Claims:

Please delete claims 6, 9, 10, 13, 14, and 19 without prejudice or bias.

REMARKS

This amendment is made after Applicant's receipt of the Notice of Allowance for this application but prior to payment of the issue fee. Claims 6, 9, 10, 13, 14, and 19 were deleted by amendment dated March 24, 2000. However, the Notices of Allowability (PTO-37) and Allowance (PTOL-85) issued on June 5, 2000 do not reflect the deletion of these claims. Correction prior to issuance of the patent is respectfully requested.

SEP-05-00 TUE 04:40 PM OLDHAM & OLDHAM CO. LPA FAX NO. 330 864 7986

P. 03

2

These changes in no way alter the scope of the disclosure or the claims in the application.
Applicant respectfully requests reconsideration of the application in light of this amendment.

Respectfully submitted,
OLDHAM & OLDHAM CO., LPA



Mark A. Watkins, Esq.
Registration No. 33,813

Twin Oaks Estate
1225 Wcst Market Strct
Akron, Ohio 44313-7188
(330)864-5550

Attorney Docket No. 6014-1-CON

SEP-05-00 TUE 04:40 PM C'DHAM & OLDHAM CO. LPA FAX NO. 330 864 7986

P. 01

*
dm

Practitioner's Docket No. 6014-1-CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leighton

Application No.: 09/158,290

Group No.: 1733

Filed: 22 September 1998

Examiner: Lorin, F.

For: RADIO FREQUENCY IDENTIFICATION CARD AND HOT LAMINATION

PROCESS FOR THE MANUFACTURE OF RADIO FREQUENCY IDENTIFICATION CARDS

OFFICIAL

FAX RECEIVED

Commissioner of Patents and Trademarks
Washington D.C. 20231

SEP 5 2000

GROUP 1700

TRANSMITTAL

Transmitted herewith:

- 1) Amendment Under 37 C.F.R. 1.312

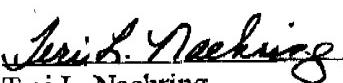
PLEASE FORWARD DIRECTLY TO EXAMINER Francis Lorin.

PLEASE CONFIRM RECEIPT.

CERTIFICATION 37 CFR 1.8a and 1.10

I hereby certify that, on the date below, this correspondence is being facsimile transmitted to Marlon Fletcher at (703) 305-5436 at the U.S. Patent and Trademark Office.

Date: September 5, 2000


Teri L. Naebring



**UNITED STA. DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/158,290	09/22/98	LEIGHTON	K 6014-I-CON

021324
OLDHAM & OLDHAM CO
TWIN OAKS ESTATE
1225 W MARKET STREET
AKRON OH 44313

IM71/0202

EXAMINER

LORIN,F

ART UNIT	PAPER NUMBER
	1775

DATE MAILED: 02/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Response to Rule 312 Communication

Application No.	Applicant(s)
09/158,290	LEIGHTON, KEITH R.
Examiner	Art Unit
Francis J Lorin	1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

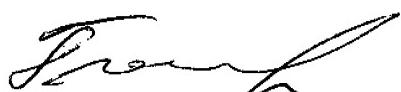
1. The petition filed on _____ under 37 CFR 1.312(b) is granted. The paper has been forwarded to the examiner for consideration on the merits.

2. The petition filed on _____ under 37 CFR 1.312(b) is dismissed.
 - a) The requisite petition fee of \$_____ has not been received.
 - b) Other :

Director
Technology Center

3. The amendment filed on 05 September 2000 under 37 CFR 1.312 has been considered, and has been:
 - a) entered.
 - b) entered as directed to matters of form not affecting the scope of the invention.
 - c) disapproved. See explanation below.
 - d) entered in part. See explanation below.

The claims have already been canceled in paper No. 8, filed 3/27/00. A Supplemental Notice of Allowability showing the correct allowed claims, is included herewith.



Francis J Lorin
Primary Examiner
Art Unit: 1775

<i>Supplemental Notice of Allowability</i>	Application No. 09/158,290	Applicant(s) LEIGHTON, KEITH R.
	Examiner Francis J Lorin	Art Unit 1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 9/5/00.
 2. The allowed claim(s) is/are 1-5,7-8,11-12,15-18,20,23-24.
 3. The drawings filed on _____ are acceptable as formal drawings.
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS , OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

6. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review(PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- | | |
|--|--|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | <input type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

Francis J. Lorin
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Primary Examiner
Art Unit: 1775

SEARCHED
INDEXED
O.G. FIG. 10
BY CLASS SUBCLASS
DRAFTSMAN 156 298

69/158290

6214155

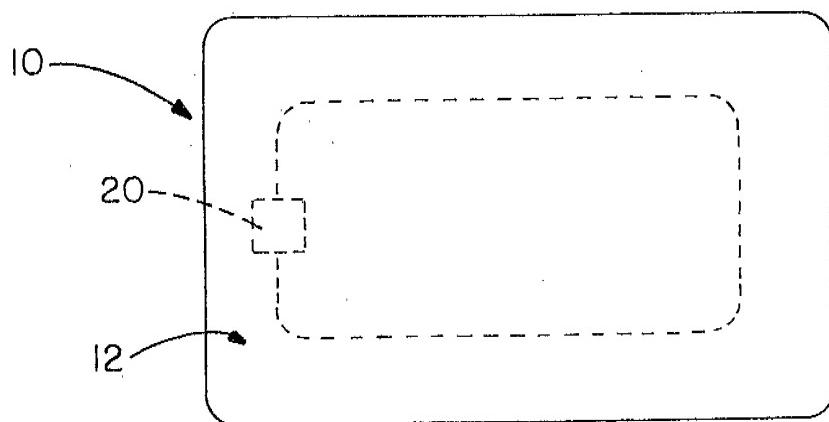


FIG. - 1

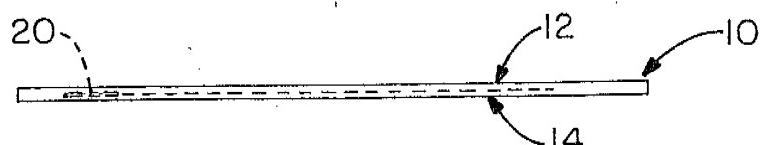


FIG. - 2

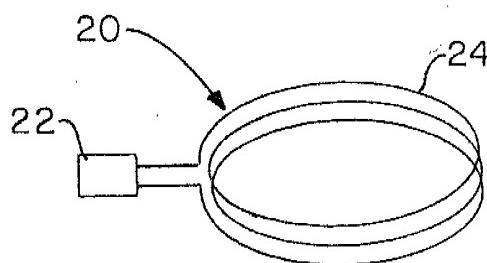


FIG. - 3A

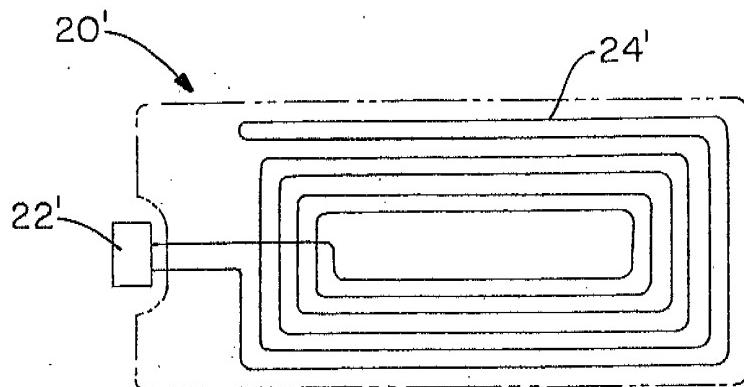


FIG. - 3B

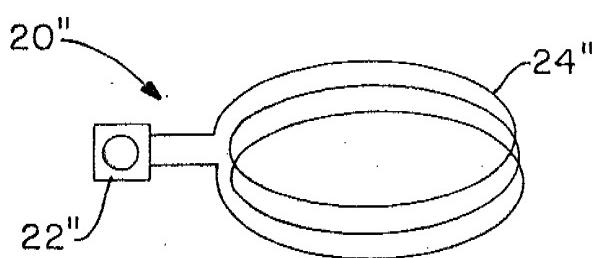


FIG. - 3C

69/158290 * 06285760

APPROVED	O.G. FIG.	
BY	CLASS	SUBCLASS
DRAFTSMAN		

CA 1158270

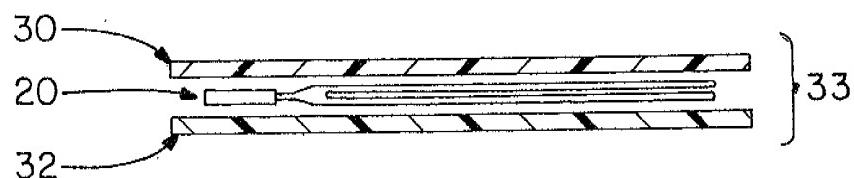


FIG. - 4

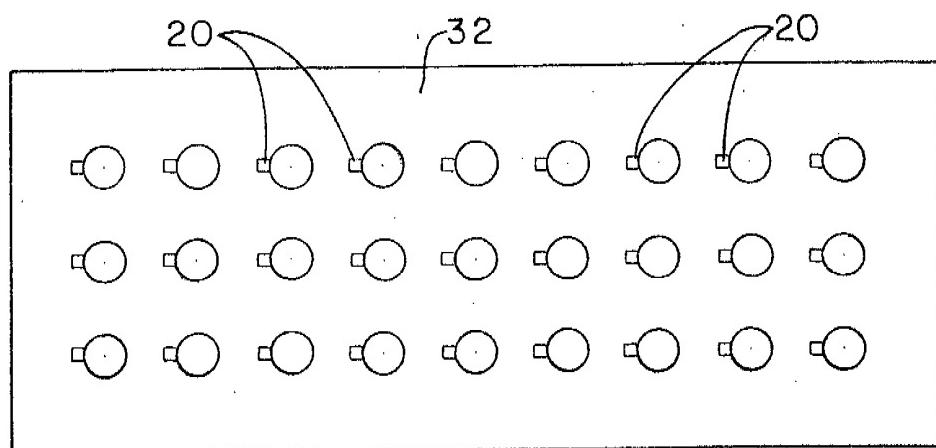


FIG. - 5

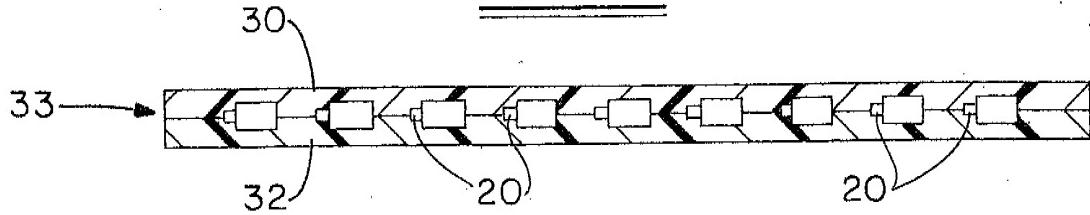


FIG. - 6

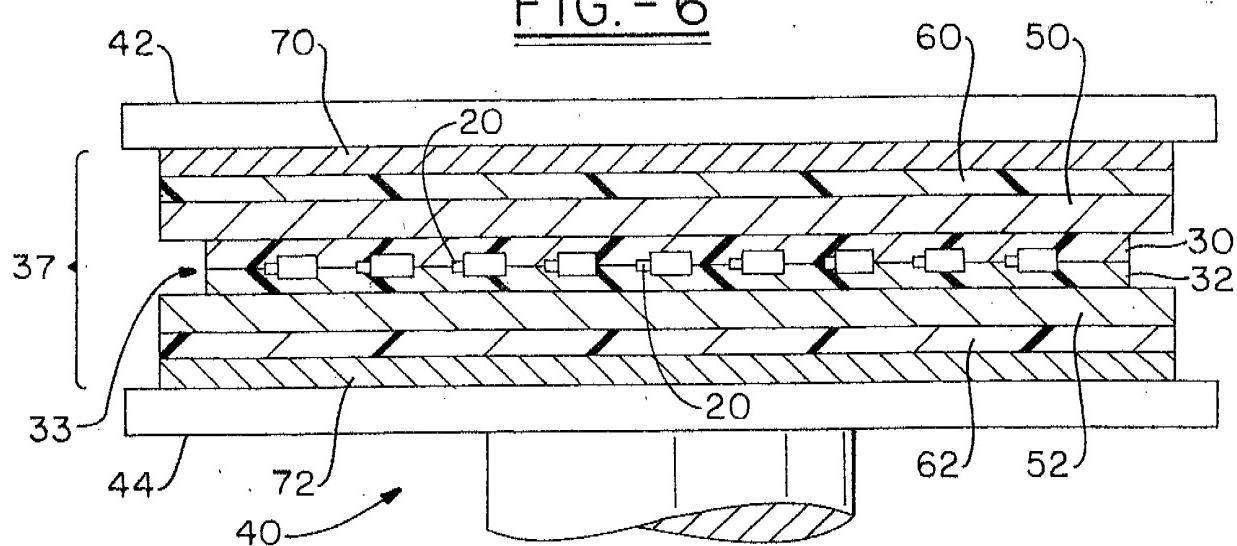


FIG. - 7

APPROVED	O.G. FIG.
BY	CLASS SUBCLASS
DRAFTSMAN	

09/158290

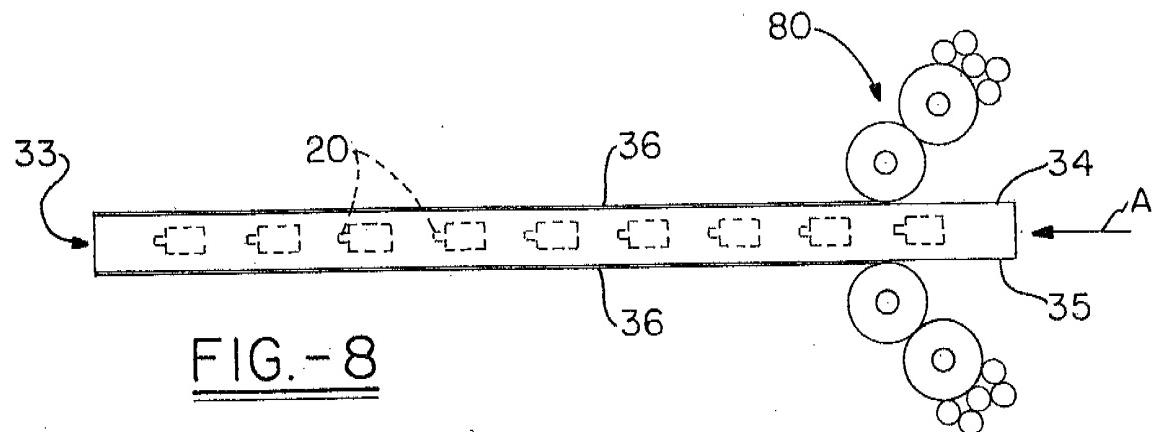


FIG. - 8

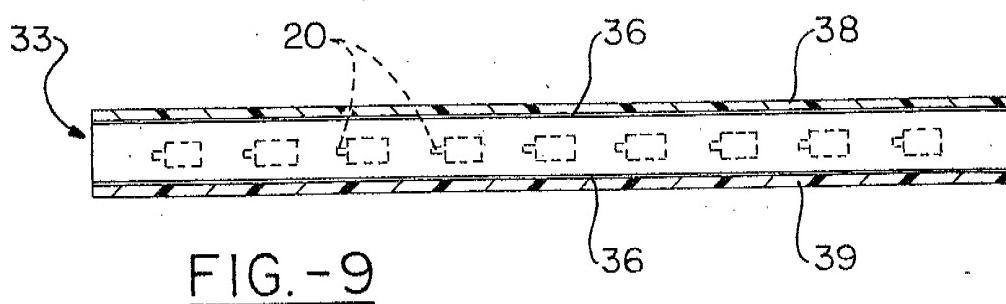


FIG. - 9

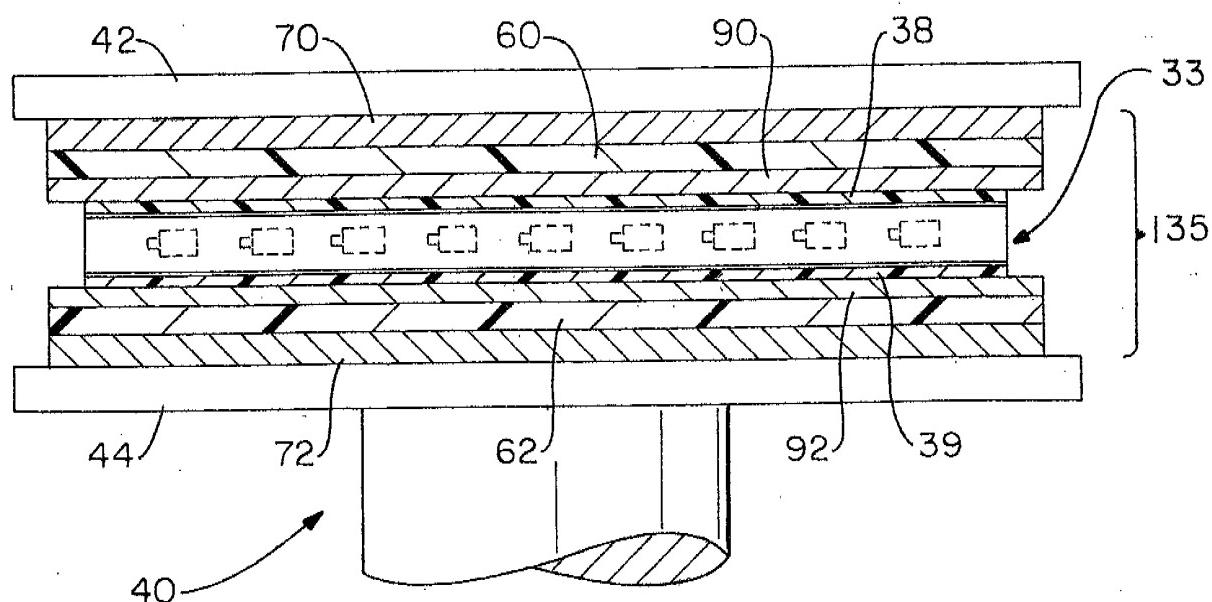


FIG. - 10

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 1997

Application or Docket Number

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	22 minus 20 =	* 2
INDEPENDENT CLAIMS	2 minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT		

SMALL ENTITY TYPE **OTHER THAN SMALL ENTITY**

RATE	Fee	RATE	Fee
	395.00		790.00
x\$11=	22	x\$22=	
x41=		x82=	
+135=		+270=	
TOTAL 417		TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				=
Total	* 19	Minus	** 22	=
Independent	* 3	Minus	*** 3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY**OTHER THAN SMALL ENTITY**

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x\$11=		x\$22=	
x41=		x82=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				=
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE**ADDITIONAL FEE**

x\$11=		x\$22=	
x41=		x82=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				=
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE**ADDITIONAL FEE**

x\$11=		x\$22=	
x41=		x82=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

OCS_C_045820